



COUNTY OF LOS ANGELES
OFFICE OF THE COUNTY COUNSEL

648 KENNETH HAHN HALL OF ADMINISTRATION
500 WEST TEMPLE STREET
LOS ANGELES, CALIFORNIA 90012-2713

TELEPHONE
(213) 974-1927
FACSIMILE
(213) 613-4751
TDD
(213) 633-0901

MARY C. WICKHAM
Interim County Counsel

July 24, 2015

Richard J. Bruckner, Director
Department of Regional Planning
1390 Hall of Records
320 West Temple Street
Los Angeles, California 90012-3225

**Re: Santa Monica Mountains North Area Urgency
Ordinance Extension**

Dear Mr. Bruckner:

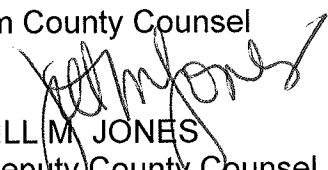
As requested, this office has prepared the above-referenced analysis and ordinance to extend the interim urgency ordinance which temporarily prohibits the establishment or expansion of vineyards in the unincorporated area regulated by the Santa Monica Mountains North Area Community Standards Districts, pending a zoning study to consider possible zoning ordinance amendments regarding vineyards in that area. This interim ordinance will require a public hearing and a four-fifths vote by the Board of Supervisors.

The enclosed analysis and ordinance may be presented to the Board of Supervisors for its consideration.

Very truly yours,

MARY C. WICKHAM
Interim County Counsel

By


JILL M. JONES
Deputy County Counsel
Property Division

APPROVED AND RELEASED:


RICHARD D. WEISS
Chief Deputy County Counsel

JMJ:ph

Enclosures

HOA.1183019.1

ANALYSIS

This ordinance extends Interim Ordinance No. 2015-0022U for a maximum of ten (10) months and fifteen (15) days to June 15, 2016. Interim Ordinance No. 2015-0022U adopted on June 16, 2015, temporarily prohibits the establishment or expansion of vineyards, either as a primary or accessory use, on all properties in the Santa Monica Mountains North Area Community Standards District in the County of Los Angeles while a study is conducted to consider a possible zoning amendment to address land use compatibility issues related to vineyards in that area.

This extension ordinance is an urgency measure that requires a public hearing and a four-fifths vote by the Board of Supervisors for adoption.

MARY C. WICKHAM
Interim County Counsel

By



JILL M. JONES
Deputy County Counsel
Property Division

JMJ:ph

Received: 7-23-15

Revised: 7-24-15

ORDINANCE NO. _____

An ordinance extending Interim Ordinance No. 2015-0022U, temporarily prohibiting the establishment or expansion of vineyards, either as a primary or accessory use, on all properties in the Santa Monica Mountains North Area Community Standards District in the County of Los Angeles, while a study is conducted to consider a possible zoning amendment to address land use compatibility issues related to vineyards in that area, declaring the urgency thereof, and that this ordinance will take effect immediately.

The Board of Supervisors of the County of Los Angeles ordains as follows:

SECTION 1. Interim Prohibition.

Pursuant to section 65858 of the Government Code, the Board of Supervisors having held a public hearing, hereby extends Interim Ordinance No. 2015-0022U to June 15, 2016. Interim Ordinance No. 2015-0022U provided, and this extension similarly provides, that no vineyard, either as a primary or accessory use, shall be established or expanded upon any property that is within the area regulated by the Santa Monica Mountains North Area Community Standards District ("CSD"), as identified on the map following Los Angeles County Code Section 22.44.133 ("Santa Monica Mountains North Area").

SECTION 2. Authority.

Interim Ordinance No. 2015-0022U was adopted on June 16, 2015. Unless this ordinance takes effect on or before July 31, 2015, Interim Ordinance No. 2015-0022U will expire. California Government Code section 65858 provides that any urgency

measure in the form of an initial interim ordinance may be adopted without following the procedures otherwise required prior to adoption of a zoning ordinance, by a four-fifths vote of the Board of Supervisors, which shall be effective for only forty-five (45) days following its adoption. Government Code section 65858 further provides that such an urgency measure may be extended, following compliance with that section, for up to an additional ten (10) months and fifteen (15) days beyond the original forty-five (45) day period, and it can be extended a second time for an additional year.

SECTION 3. Definitions and Penalties.

The definitions and penalties for land use violations that are prescribed in Title 22 of the Los Angeles County Code shall apply to the interpretation and to violations of the provisions of this interim ordinance.

SECTION 4. Zoning Study Initiated, Determination of Immediate Threat.

The Los Angeles County Regional Planning Department ("Regional Planning") has been conducting a comprehensive zoning study to review all properties in the Santa Monica Mountains North Area to consider a possible permanent zoning ordinance amendment regarding vineyards in that area.

Since May 2014, Regional Planning received fifty-one (51) ministerial applications to establish vineyards in the Santa Monica Mountains North Area. Of these fifty-one (51) applications, twenty-five (25) have been approved. There are currently twenty-six (26) pending applications that, if approved, could entail the development of an additional three hundred eight (308) acres of land. This trend raises concerns

related to water supply, water quality, and land use compatibility. The State of California recently entered its fourth (4th) year of drought and the development of dozens of vineyards, most using wells to draw upon groundwater supplies, could exacerbate these conditions by causing a significant drop in groundwater levels. Vineyards could increase runoff, erosion, and sedimentation, and cause pesticides and fertilizers to infiltrate waterways during rain events. Therefore, the cumulative impact of dozens of vineyards could be devastating to the area's fragile watersheds. Vineyards require the removal of natural vegetation, and in many cases, extensive grading due to the presence of steep slopes, which are abundant in the Santa Monica Mountains North Area. The establishment of dozens of vineyards will also result in visual impacts that will transform the character of the Santa Monica Mountains North Area. Unless this interim ordinance is extended as provided for herein, an irreversible incompatibility of land uses might reasonably occur as a result of the establishment or expansion of vineyards in the affected area, all to the detriment of the public health, safety, and welfare. Accordingly, the Board of Supervisors finds that there is a current and immediate threat to the public health, safety, or welfare, and that establishment or expansion of vineyards and the approval of any required additional subdivisions, variances, building permits, site plans or any other applicable entitlements in connection therewith would result in that threat to the public health, safety, or welfare absent implementation of the restrictions contained in Interim Ordinance No. 2015-0022U. If this interim ordinance does not take effect on or before July 31, 2015, uses may be established or expanded that may be in conflict with any permanent amendment to the

zoning code for the Santa Monica Mountains North Area CSD that may be adopted as a result of Regional Planning's study, and these uses may continue after any permanent rezoning of the properties in the Santa Monica Mountains North Area described in Section 7.

SECTION 5. Severability.

If any provision of this interim ordinance extension or the application thereof to any person, property, or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the ordinance which can be given effect without the invalid provisions or application, and, to this end, the provisions of the interim ordinance are hereby declared to be severable.

SECTION 6. Area of Applicability.

This interim ordinance applies to parcels located within the area governed by the Santa Monica Mountains North Area CSD as identified on the map following Los Angeles County Code Section 22.44.133.

SECTION 7. Urgent Need.

This interim ordinance extension is urgently needed for the immediate preservation of the public health, safety, and welfare, and it shall take effect immediately upon adoption, and it shall be of no further force and effect ten (10) months and fifteen (15) days following the initial forty-five (45)-day term of Interim Ordinance No. 2015-0022U, unless further extended in accordance with the provisions set forth in Government Code section 65858.

[EXT2015-0022UJJ]